

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
(KNOXVILLE)**

IN RE:

WAGIH A. TABAJA  
DEBTOR

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ANN MOSTOLLER  
PLAINTIFF

BK NO.: 3:20-BK-32169-SHB

CHAPTER 7

JUDGE: SUZANNE H.  
BAUKNIGHT

V.

PEOPLES HOME EQUITY INC.,  
MR. COOPER D/B/A NATIONSTAR  
MORTGAGE LLC,  
BANK OF AMERICA, N.A.,  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.  
DEFENDANTS,

AP NO.: 3:21-AP-03010-SHB

**PRELIMINARY RESPONSE TO THE TRUSTEE'S COMPLAINT [D.E. 1]**

**COMES NOW**, Defendant, MR. COOPER D/B/A NATIONSTAR MORTGAGE LLC  
("Secured Creditor"), and files this preliminary written response to the Trustee's Complaint [D.E.  
1] on behalf of all named Defendants, and as grounds therefor states:

1. MR. COOPER D/B/A NATIONSTAR MORTGAGE LLC is a secured creditor in the instant case reflecting a secured claim against the property, 967 Vicar Lane, Knoxville, TN 37919 ("Property").
2. On February 16, 2021 the Trustee filed this instant Complaint [D.E. 1].
3. Counsel for Secured Creditor contacted the Trustee and provided the requested documentation showing the perfected lien status and confirming Defendants' interest in the Property.

4. Secured Creditor needs additional time to review its records to respond to the allegations contained in Debtors' Complaint
5. Additionally, Secured Creditor is working with the Trustee to resolve the Complaint by way of Agreed Order and needs additional time to finalize any potential settlement.
6. Secured Creditor reserves the right to supplement its response.

**WHEREFORE**, Defendant, MR. COOPER D/B/A NATIONSTAR MORTGAGE LLC on behalf of all Defendants requests that this Court deny the Trustee's Complaint [D.E. 1] and grant such other and further relief as the Court deems just and proper.

DATED this 18<sup>th</sup> day of March 2021.

Respectfully submitted,

/s/ Joshua I. Goldman

Joshua I. Goldman, Esq.  
Tennessee Bar # 035733  
PADGETT LAW GROUP  
6267 Old Water Oak Road, Suite 203  
Tallahassee, FL 32312  
(850) 422-2520 (telephone)  
(850) 422-2567 (facsimile)  
[josh.goldman@padgettlawgroup.com](mailto:josh.goldman@padgettlawgroup.com)  
*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished to the parties on the attached Service List by electronic notice and/or by First Class U.S. Mail on this 18<sup>th</sup> day of March 2021.

/s/ Joshua I. Goldman

Joshua I. Goldman, Esq.  
Tennessee Bar # 035733  
PADGETT LAW GROUP  
6267 Old Water Oak Road, Suite 203  
Tallahassee, FL 32312  
(850) 422-2520 (telephone)  
(850) 422-2567 (facsimile)  
[josh.goldman@padgettlawgroup.com](mailto:josh.goldman@padgettlawgroup.com)  
*Attorney for Defendant*

**SERVICE LIST (CASE NO. 3:21-AP-03010-SHB)**

PLAINTIFF  
ANN MOSTOLLER  
MOSTOLLER, STULBERG & WHITFIELD  
136 SOUTH ILLINOIS AVE.  
SUITE 104  
OAK RIDGE, TN 37830  
(865) 482-4466  
FAX : (865) 481-0940  
EMAIL: [BDAVIS@MSW-LAW.COM](mailto:BDAVIS@MSW-LAW.COM)